

REMARKS

By this amendment, claims 1, 13, and 25 have been amended, and claim 26 has been cancelled. These amendments are made to even more clearly recite the claimed invention, do not add prohibited new matter and are fully supported by the specification. Reconsideration and withdrawal of the rejections set forth in the outstanding Office Action are respectfully requested in view of the following remarks.

Drawings

Initially, Applicants note that the Examiner has checked the box on the Office Action Summary form acknowledging receipt of drawings filed on June 26, 2006. However, Applicants note that the Examiner has not checked the box indicating acceptance of the drawings. As the drawings are in proper form, Applicants respectfully request that the Examiner indicate acceptance of the drawings by checking the appropriate box.

Priority under 35 U.S.C. § 119

Applicants note that the Examiner has checked the box on the Office Action Summary form acknowledging Applicants' claim of priority under 35 U.S.C. § 119. However, the Examiner indicates that only "some" of the priority documents have been received. As the only priority document is JP 2003/426809, Applicants submit that the Office should be in possession of all priority documents. Therefore, Applicants respectfully request that the Examiner indicate receipt of all certified priority documents by checking the appropriate box.

Claim Rejections under 35 U.S.C. § 101

The Office Action rejects claim 25 under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Without agreeing with or acquiescing to the rejection, Applicants note that claim 25 has been amended to recite a “computer-readable medium on which a data processing program is recorded.” Accordingly, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. § 101.

Claim Rejections under 35 U.S.C. § 102(b)

The Office Action rejects claims 1-26 under 35 U.S.C. § 102(b) as being anticipated by Matsushima (U.S. Patent Application Publication No. 2002/0165825, hereinafter “MATSUSHIMA”). Applicants respectfully disagree.

Initially, Applicants note that the claims recite (using claim 1 as a non-limiting example):

A data processing apparatus for reading from a recording medium a content which is stored in a specified recording area of the recording medium and playing back the read content, the recording medium storing according to a specified format contents and management information of the contents, the data processing apparatus comprising:

a content processor that reads management information from the recording medium, and reads the content according to the management information from the recording medium to process the read content;

a search section that, when the content processor reads a content, searches, for the content, out of a specified search range, which is defined according to the specified format as a range for storing contents to be reproduced, if the content to be read is managed by the management information but not present in the specified recording area; a link information setting section; and

a management information storing section that stores the management information which is read from the recording medium, using an identification number specific to the recording medium, so that the management information can be managed,

wherein when the content is found by the search section, the link information setting section sets the link information for relating the recording area of the found content to the specified recording area so as to enable access to the content with the management information.

The Examiner argues that paragraph [0090] and Figure 21 of MATSUSHIMA teaches the claimed search section, and that the claimed link information setting section corresponds to the TKI\_LNK\_PTR of MATSUSHIMA (as discussed in paragraph [0105] of MATSUSHIMA and shown in Figure 13). Applicants respectfully submit that there are significant differences between the teachings of MATSUSHIMA and the claimed search section and the claimed link information setting section, and thus, the applied art fails to disclose each and every feature of Applicant's claimed invention.

Specifically, the claims (using claim 1 as a non-limiting example) recite "a search section that, when the content processor reads a content, searches, for the content, out of a specified search range, which is defined according to the specified format as a range for storing contents to be reproduced, if the content to be read is managed by the management information but not present in the specified recording area." In contrast, Applicants submit that, in MATSUSHIMA, if there is no audio object ("AOB") file corresponding to a particular title key entry ("TKE"), the content ID is set to "000". When a TKE and an AOB have a one-to-one correspondence, the availability flag ("AVF") and the migrate permission flag ("MPF") are set to "1". When an AOB corresponds to a number of tracks, the AVF and the MPF of the head TKE are set to "1". The AVFs and the MPFs of other TKEs are set to "0". If the content ID is not "000" and the AVF is set to "0", a plurality of AOBs may have the same content ID. Therefore, TKEs which have the same content ID are extracted. MATSUSHIMA indicates that it is "possible to perform a search that specifies a plurality of AOBs which correspond to the same content ID" (see paragraph [0105] of MATSUSHIMA). Applicants submit that the search in MATSUSHIMA does not search actual content (as required by Applicants' pending claims). Rather, MATSUSHIMA teaches searching content IDs and TKEs. Furthermore, the search in

MATSUSHIMA does not search “for the content, out of a specified search range, which is defined according to the specified format as a range for storing contents to be reproduced,” as recited in the claims. Thus, MATSUSHIMA fails to disclose the claimed search section.

Furthermore, the claimed link information setting section links content to a specified recording area, as recited in the claims. In contrast, in MATSUSHIMA, the link target links a TKI (i.e. track information) to the next TKI (as shown by arrows TL4, TL5, and TL6 in Figure 17). Thus, MATSUSHIMA fails to disclose the claimed search section.

Accordingly, Applicants submit that MATSUSHIMA fails to teach each and every feature of the claimed invention, which is required to set forth an anticipation rejection under 35 U.S.C. § 102. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection, and to indicate allowability of the pending claims.

SUMMARY AND CONCLUSION

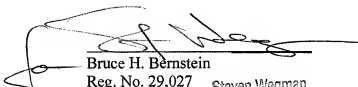
In view of the foregoing, it is submitted that Examiner's objection and rejections under 35 U.S.C. §§ 101 and 102(b) should be withdrawn. Entry and consideration of the present amendment, reconsideration of the outstanding Office Action, and allowance of the present application and all of the claims therein are respectfully requested.


Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Authorization is hereby provided to charge any fee to maintain the pendency of the application, including any extension of time and/or claim fee, to Deposit Account No. 19-0089.

If the Examiner has any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,  
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